

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NANCY DENARDI,

Plaintiff,

-against-

DRA IMAGING, P.C. and IMAGING SUPPORT
SERVICES, LLC,

Defendants.
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**NOTICE OF
MOTION IN LIMINE**

07 CIV. 5794 (MGC)


PLEASE TAKE NOTICE that upon the accompanying Declaration of Stephanie L. Burns, dated September 17, 2008, the exhibits annexed thereto, the accompanying Memorandum of Law, dated September 17, 2008, and upon all of the proceedings heretofore had herein, Defendants will move this Court before the Honorable Miriam Goldman Cedarbaum, U.S.D.J., at the United States Courthouse located at 500 Pearl Street, New York, New York 10007, on October 9, 2008 at 9:30 a.m., or as soon thereafter as counsel may be heard, for an Order, pursuant to Rules 402 and 403 of the Federal Rules of Evidence, precluding the admission of any testimony or documents concerning (1) anti-Semitic and/or racist comments purportedly made by any employee(s) of the Billing Department and (2) any counseling provided to or disciplinary action taken with regard to any employee of the Billing Department based upon performance deficiencies.

PLEASE TAKE FURTHER NOTICE, that pursuant to the Individual Practices of the Honorable Miriam Goldman Cedarbaum, U.S.D.J., Plaintiff shall serve opposing papers, if any, upon the offices of the undersigned attorneys by noon on October 1, 2008; and

PLEASE TAKE FURTHER NOTICE, that pursuant to the Individual Practices of the Honorable Miriam Goldman Cedarbaum, U.S.D.J., the Defendants shall serve their reply papers, if any, upon the offices of the attorneys for the Plaintiff by noon on October 7, 2008.

Dated: White Plains, New York
September 17, 2008

KEANE & BEANE, P.C.

By: 
Stephanie L. Burns (SB 3467)
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